

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 991 (M/B) of 2006

Gurucharan Singh S/o Anup Singh,
R/o Village Ajitpur Firm M/s Jai Gana Trading Co.,
Ajitpur, Hardwar **....Petitioner**

Vs

1. State of Uttaranchal through Secretary Mining Dehradun
2. District Magistrate, Hardwar
3. State of Uttaranchal through Ministry of Industry, Dehradun, Uttaranchal

.....Respondents

Sri Lalit Tewari, Id. Counsel for the petitioner
Sri K.P. Upadhyaya, Id. Standing counsel for State

Dated: - August 11, 2006

Coram: **Hon'ble P.C. Verma, J.**
 Hon'ble B.S. Verma, J.

This writ petition has been filed by the petitioner challenging the show cause notice dated 26.6.2006 passed by Respondent No.1 which is contained in Annexure No. 1 to the writ petition by which the petitioner has been required to show cause as to why the royalty of Rs.1,08,157 and penalty be not imposed on him.

The petitioner has stated in the writ petition that his application for grant of new permit is under consideration and has not been disposed of yet. This fact proves that the petitioner has collected the minor minerals and stored the same illegally without having any licence. Therefore, the authorities mentioned in the show cause issued notice to the petitioner for recovery of royalty and imposition of penalty. Hence, the demand of royalty of Rs.1,08,157/- and penalty there on is justified.

We do not see anything in the writ petition to interfere with the show cause notice issued by Respondent No.1. The writ petition is devoid of merit and is dismissed in-limine. No order as to costs.

(B.S. Verma, J.)

(P.C. Verma, J.)

Rajeev Dang